

3 March 1955

Memorandum for: Legislative Counsel

Subject : Draft Bill to Amend Present Provisions of Law
Concerning Benefits Available to Certain Civilian
Personnel for Injury, Death, or Detention
Resulting from War Risk Hazards and for Other
Purposes

References : (a) Memorandum dated 15 December 1954 from
Legislative Counsel to DD/P-Admin

(b) Memorandum dated 3 December 1954 from
AD/P to Legislative Counsel

(c) Memorandum dated 5 January 1955 from
DD/P-Admin to Legislative Counsel

1. Reference (b) contains a clear analysis of the draft bill in the light of its impact on CIA. It concludes with approval of the principle involved and a recommendation that the bill be modified to authorize CIA or sensitive agencies generally to omit coverage in their contracts.

2. The Chief of Administration (DD/P) in Reference (c) concurs with the recommendations of the AD/P except for the naming of CIA in connection with exclusion from the coverage of the bill.

3. In view of the experience of CIA and OSS under the existing laws, we feel that no express exclusion is necessary. Under the doctrine of the [] Case, the interests of security override the personal interest of individuals entitled to benefits under the various statutes concerned. We see no reason why this doctrine should not continue to apply under the extension of coverage which would be accomplished by the draft bill. Personnel who []
[] . Other cases
could be handled in accordance with the requirements of each case

very much as they have been handled in the past under applicable laws. Finally, since the objective of the draft bill is considered to be desirable not only by the sponsoring agency but also by the AD/P and DD/P-Admin, we feel that no attempt should be made to block passage of this bill and that an attempt to write in a provision excluding sensitive agencies would be undesirable and unnecessary. We therefore recommend endorsement of the bill in its present form.



Assistant General Counsel

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~~cc: AD/P~~
~~SSA, DD/S~~

3 March 1955

(Date)

Mr. Pforzheimer

ROOM NO.

REMARKS:



FROM:

EXTENSION

FORM NO. 36-8
SEP 1946